



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10**

1200 Sixth Avenue, Suite 155
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SUPERFUND &
EMERGENCY
MANAGEMENT DIVISION

May 9, 2022

The Honorable Delano Saluskin
Tribal Chairman
Confederated Tribes and Bands of the Yakama Nation
401 Fort Road, P.O. Box 151
Toppenish, Washington 98948

Virgil Lewis Sr., Vice Chairman
Confederated Tribes and Bands of the Yakama Nation
401 Fort Road, P.O. Box 151
Toppenish, Washington 98948

Dear Chairman Saluskin and Vice Chairman Lewis:

Thank you for consulting with the U.S. Environmental Protection Agency and the U.S. Army Corps of Engineers (USACE) on the Bradford Island Superfund Site on April 5, 2022. The care and thought that went into preparing for the meeting, the generous amount of time allotted to this issue on a busy Council agenda, and the passionate stories and detailed questions raised by Tribal Council members all demonstrated to me how important the cleanup of the Bradford Island site is to the Yakama Nation.

I am writing to say thank you, and to affirm the commitments that I made to the Yakama Nation on behalf of the EPA. Thank for supporting the addition of the site to the National Priorities List, and for your years of consistent advocacy on behalf of the fish, the river, and tribal members who exercise their treaty rights in and around the site. My team and I heard several key messages from the Yakama Nation during our consultation, and we made several specific promises.

We understand the Yakama Nation's sense of urgency. You said the situation is an emergency and you asked us to prioritize and expedite cleanup actions and use whatever authorities are needed (such as interim actions or removal authorities) to get cleanup work done quickly. I promised to look for opportunities to advance environmental cleanup, to support the USACE on early action efforts, and to bring this sense of urgency to our negotiations with the USACE.

You asked us to commit to negotiating the Federal Facilities Agreement (FFA) within one year, and to involve the Yakama Nation in the development and implementation of the FFA and Site Management Plan. I told you our goal is to complete the negotiation in less than one year, and I promised to collaborate and coordinate with you during the negotiation process. The Site Management Plan should include our commitments to the Yakama Nation and honor our obligations under Article 3 of the 1855 Treaty.

You invited us to come back and consult with you every year, to share our success in the past year and our plans for the coming year. I said I would be honored to meet with you annually and I look forward to celebrating our successes with you in the coming years.

You urged us to remember our responsibility as a trustee and said our site-specific strategy should incorporate Yakama Nation concerns and beliefs. I understand the obligations the United States made to the Yakama Nation in the Treaty of 1855. The cleanup should honor our obligation under Article 3 of the Treaty to allow the taking of fish in all usual and accustomed places. Our goal is to oversee cleanup actions that reduce contamination in and around Bradford Island to levels that are safe for the fish, and for the people who catch and eat them.

Thank you for the beautiful, framed photograph. It is hanging in a place of honor in our Seattle office, where it reminds me and our team members of our consultation and of your request to move quickly to show progress on the cleanup of the site.

In closing, I offer my special thanks and recognition to Mr. Davis Washines (Yellowash). Mr. Washines went out of his way to make me and the EPA's whole team feel welcome. He greeted me personally and over hot coffee, he shared stories about his family's connection to the river and the fish, and of Pahto, the beautiful mountain that graces your homeland. After lunch, he also led us on a fascinating tour of the Yakama Nation Cultural Center and patiently answered our many questions.

I look forward to consulting with the Yakama Nation again in April 2023. Until then, my staff will be working with Yakama Nation Fisheries staff as we work to advance the site investigation and clean-up efforts.

Sincerely,

Calvin J. Terada
Director